IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3533 OF 2001

Kirit P. Shah ..Plaintiff
Vs.
Rajesh Saigal ..Defendant

Mr.C.D.Patel, Adv.i/b. R.C.Shah & Co. for Plaintiff
Mr.A.N.Makhijani, Adv. dfor Defendant

CORAM: V.M. KANADE, J.
DATE: 18TH AUGUST, 2004.

P.C.

. By order dated 20th November, 2003 this Court had directed that the Defendant should deposit the amount of Rs.1,00,000/- and conditional leave was granted accordingly. However, the said amount has not been deposited. The learned Counsel appearing on behalf of Defendant states that the Defendant is having financial difficulties and therefore, he could not deposit the said amount. The fact remains that the conditional order passed by this Court has not been honoured. The Plaintiff therefore, is entitled to decree in terms of prayer clause (a) and (b). The rate of interest mentioned p.a. Suit is accordingly decreed and disposed of.

JUDGE